

**MINUTES OF THE GILBERT TOWN COUNCIL IN REGULAR MEETING OF
AUGUST 27, 2015 AT 7:00 PM, MUNICIPAL CENTER, COUNCIL CHAMBERS, 50
EAST CIVIC CENTER DRIVE, GILBERT, ARIZONA**

COUNCIL PRESENT: Mayor John Lewis, Vice Mayor Jordan Ray, Councilmembers Eddie Cook, Jenn Daniels, Victor Petersen, and Jared Taylor

COUNCIL ABSENT: Councilmember Brigette Peterson

STAFF PRESENT: Manager Patrick Banger, Assistant Manager Marc Skocypec, Deputy Clerk Lisa Maxwell, Attorney Michael Hamblin, Management Support Analyst Justine Bruno, Parks and Recreation Director Rod Buchanan, Assistant to the Manager Leah Hubbard-Rhineheimer, Planner Nichole McCarty

AGENDA ITEM

CALL TO ORDER

Mayor John Lewis called the meeting to order at 7:16 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

Councilmember Eddie Cook introduced the scouts in attendance who led the Pledge of Allegiance and introduced themselves. Pastor David Harriss of the First United Methodist Church of Gilbert gave the invocation.

ROLL CALL

Deputy Clerk Lisa Maxwell called roll and declared a quorum present.

PRESENTATIONS; PROCLAMATIONS

1. Presentation of Government Finance Officers Association Distinguished Budget Presentation Award for Fiscal Year 2014.

Councilmember Victor Petersen presented the Government Finance Officers Association Distinguished Budget Award for Fiscal Year 2014.

2. Presentation of public service announcement for the Gilbert Special Census.

Management Support Analyst Justine Bruno presented the public service announcement for the Gilbert Special Census.

3. Proclamation declaring September 2015 as Grandfamily/Kinship Care Month.

Councilmember Victor Petersen read a proclamation declaring September 2015 as Grandfamily/Kinship Care Month.

4. Proclamation declaring September 2015 as Childhood Cancer Awareness Month.

Councilmember Jared Taylor read a proclamation declaring September 2015 as Childhood Cancer Awareness Month, and presented the proclamation to Dr. Jim Williams, a Hematology/Oncology physician, and Sasha Gurrola, East Valley Clinical Coordinator for Hematology/Oncology of Phoenix Children's Hospital.

5. Proclamation declaring August 2015 as Child Support Awareness Month.

Councilmember Jenn Daniels read a proclamation declaring August 2015 as Child Support Awareness Month, and presented the proclamation to Amanda Dean.

6. Recognition of Gilbert citizens, Ben Schneidar and Jonathan Kyle Cagel, and presentation of the Valorous Conduct Award.

Vice Mayor Jordan Ray recognized Gilbert citizens, Ben Schneidar and Jonathan Kyle Cagel, and presentation of the Valorous Conduct Award.

7. Pillar of the Month - Responsibility.

Councilmember Eddie Cook read the Pillar of the Month, Responsibility.

COMMUNICATIONS FROM CITIZENS

Joe Geusic, Gilbert resident, discussed voting and voter apathy. He encouraged citizens to vote.

CONSENT CALENDAR

A MOTION was made by Vice Mayor Jordan Ray, seconded by Councilmember Eddie Cook, to approve Consent Items 8, 10, 11, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 31 and 32; remove Items 9, 13 and 28 from the Consent Calendar; remove Consent Items 12 and 17 from the agenda; and add Item 42 to the Consent Calendar; appointing Lan Shafer to the Parks, Recreation and Library Services Advisory Board as a regular member with term ending May 12, 2017; and Matthew Roberts to the Parks, Recreation and Library Services Advisory Board as a regular member with term ending May 12, 2019. *Motion carried 6-0.*

8. DEVELOPMENT AGREEMENT – consider adoption of a Resolution approving an Amended and Restated Development Reimbursement Agreement with Wichita-5, LLC and Wey Bridge, LLC for improvements made at and around the intersection of Ray Road and Gilbert Road and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar vote. Resolution No. 3817 was adopted

9. AGREEMENT – consider approval of Agreement No. 2016-2105-0008 with the Greater Phoenix Economic Council in an amount not to exceed \$103,546 for FY2015-16 and authorize the Mayor to execute the required documents.

A MOTION was made by Vice Mayor Jordan Ray, seconded by Councilmember Eddie Cook, to approve Consent Item 9. *Motion carried 4-2.*

10. INTERGOVERNMENTAL AGREEMENT – consider approval of the renewal of Intergovernmental Agreement No. 2016-3001-0065 with the Drug Enforcement Administration to participate in the task force activities and authorize one Gilbert officer to be assigned to the Task Force for a period of not less than two years and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar vote.

11. AGREEMENT – consider approval of Amendment #1 to Assumption of Lease Agreement No. 2007-5002-0246 with AZ Ice and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar vote.

12. AGREEMENT – consider approval of the Second Amendment to License Agreement No. 2014-1105-0211 with Zayo Group, LLC for use of the public rights-of-way and Town street light poles and authorize the Mayor to execute the required documents.

This item has been removed from the agenda.

13. AGREEMENT – consider approval of and authorize the Mayor to execute the required documents:

a) Agreement and Lease No. 2016-1002-0075 between the Town of Gilbert (“Gilbert”) and Operation Welcome Home AZ, Inc. an Arizona Non-Profit Corporation (“OWH”) in an amount not to exceed \$879,000 for the c; and

b) authorize a General Fund Contingency Transfer in the amount \$1,200,000 for Gilbert Off-site improvements.

The following people were in favor but did not wish to speak: ANH, Angela Amick, Michael Amick, Brian Andersen, Lee Atwood, Debbie Attwood, Sherry Ayala, Ron Barnes, Adam Baugh, David Bohn, DUC, Takoya Calixte, John Chiaue, Julia Cusick, Larry Cusick, Ron Downham, Chris Ellis, E.J. Gilligan, Crystal Gustavson, Mark Furrey, Bill Hall, Elizabeth Havlicek, John Hesac, David Hessevick, Cheryl Holbrook, Dan Kroy, Chris La Belle, Ngan Le, Al Lebowitz, Fred Ludwick, Ed Mangaw, Brian Miller, Leslie Minner, Todd Neill, Sang Nguyen, Catherine Panella, Lew Payne, Betsy Pollard, Annie Remsburg, Cory Remsburg, Aimee Rigler, Dow Rigler, Pamela Rinesmith, Tim Rinesmith, Ann Schminke, Ric Schimel, Adam

Stevens, Cliff Stevens, Ron Smith, Erin Sulzer, Lorrie Toliver, Dzung Thao Tran, Dirinda Vallee, Jake Verrue, Susan Wellman, and Justin Yantes.

Management Support Analyst Justine Bruno gave a brief summary of the proposed Agreement and Lease between the Town and Operation Welcome Home AZ, Inc. Management Support Analyst Justine Bruno explained the major components of the agreement which included a thirty year lease term which could be extended for an additional twenty years. The estimated cost to Operation Welcome Home for Phase One is approximately two million dollars and the cost to the Town for added infrastructure is close to \$900,000.

Lisa Rigler, Gilbert resident, thanked Town staff for their assistance with the Operation Welcome Home Park Project to date. She also thanked the Town for the opportunity to deepen their partnership on this project. She also thanked the “Wallunteers” for giving their time and effort to work on the project.

Les Presmyk, Gilbert resident, discussed veteran’s issues and the responsibility we all have to our veterans. He stated The Wall was an opportunity for the Town to partner with Operation Welcome Home. The partnership would be unlike most as Operation Welcome Home would incur the majority of the upfront costs of the Operation Welcome Home Park. He also added Operation Welcome Home would design, construct and maintain the project. He also commented that the private-public partnership is a win-win for all.

Roger Pollard, Gilbert resident, thanked various organizations for their partnerships with Operation Welcome Home. He explained the value of the project is immeasurable. The Town would only need to provide infrastructure and improvements. He pointed out Operation Welcome Home would need to have fifty percent of the financing before construction could begin. They would also have to post a Performance Bond that could be used to complete the Operation Welcome Home Park in case of unexpected issues. He added a “yes” vote would show that veterans are a priority to the Town.

Kevin Dang stated the Vietnamese American community is honored to be part of the Operation Welcome Home Wall Project. He explained the Operation Welcome Home Park would stand as a symbol of appreciation to those who have made the ultimate sacrifice and protected the South Vietnamese people from the Communist invasion. The Wall would enrich the state, provide history on the Vietnam War, and allow for appreciation of Vietnamese culture and heritage.

Mayor John Lewis asked attending veterans to stand and be recognized.

Joan Krueger, Gilbert resident, represented the Gilbert Historical Society. She explained that the Gilbert Historical Society sees the Operation Welcome Home Park as a turning point in a commitment to economic tourism in Gilbert. She reminded Council that the Gilbert Historical Society would also be bringing plans for expansion to Council in future months and she hopes they will continue to support large projects which will add depth and value to the Town.

David Milton, Gilbert resident, stated he has worked in healthcare for many years. He explained that not all healing is done by a pill, surgery or therapy. The Operation Welcome Home Park will offer a site of healing for many people and would be hallowed ground.

Crystal Reidy, Gilbert resident, stated the education center will provide a history of the military service of many generations and for generations of children for years to come.

Jacques Calixte, Gilbert resident, asked Council for support of the Operation Welcome Home Park and for veterans of all wars.

Barbara Warren, not a Gilbert resident, commented that the Operation Welcome Home Park would be an example of dignity, trust, honor, and respect which is what the country needs.

George “Skip” Erickson, Gilbert resident, advised there is enough room in the Operation Welcome Home Park for memorials of all wars. He also liked the education aspect of the Operation Welcome Home Park as a way to pass on history to future generations.

Mayor John Lewis asked legal counsel to address changes made to the agreement in the Executive Session. Special Counsel Susan Goodwin reviewed the revisions to the agreement which included the following changes: 1) Operation Welcome Home may close the Operation Welcome Home Park for its own or for sponsored events a maximum of twenty days per year. Operation Welcome Home Park must comply with Gilbert’s public assembly Ordinance when planning and conducting its events. 2) When Operation Welcome Home decides to close the park for its own purposes they must give the Town a 90 day notice. 3) The Town may request additional improvements in the park and Operation Welcome Home will have to approve rights over such improvements unless they are inconsistent with the purposes of the park. 4) Change to Gilbert off-site improvements to delete metering at the property line. 5) An added provision stating if Operation Welcome Home cannot finish the park or if they terminate the lease the Town is not required to continue the park with that same use. 6) Operation Welcome Home may notify the Town if they do not want to pay their proportionate share of underground storage tank for reclaimed water. In that case Operation Welcome Home would rely solely on the line for the delivery of reclaimed water and Gilbert shall have no liability for damage to the park due to an inability to deliver reclaimed water to the park. 7) When Gilbert reserves the shared parking lot the Town shall give Operation Welcome Home a 90 day notice.

Councilmember Victor Petersen asked if the Operation Welcome Home Park met any of the identified needs in the Parks Master Plans or in Capital Improvement Project. Management Support Analyst Justine Bruno advised that the Operation Welcome Home Park is not located in the south of Gilbert which was an interest of Gilbert residents. Operation Welcome Home Park would not be used for recreational purposes and it is also so specific that it did not meet any of the identified needs outlined previously.

Councilmember Jenn Daniels stated the needs assessment did address veteran’s needs and services and it was a core focus. She commented from that perspective in the needs assessment Operation Welcome Home Park did address the need for veteran’s services.

Parks and Recreation Director Rod Buchanan explained the Operation Welcome Home Park would fulfill a need for an open space. The park would have a reflection area, a place to walk and a place to gather. Parks and Recreation Director Rod Buchanan also explained the Operation Welcome Home Park may not specifically meet the needs of the Parks Master Plan but it does meet the needs of an open gathering space for the community. Councilmember Victor Petersen asked if it crossed anything off of the list or reduced anything in scope if the facility would be built. Parks and Recreation Director Rod Buchanan stated nothing would be crossed off of the list or reduced in scope if the park was built.

Councilmember Victor Petersen also asked if the park was built would any of the veteran's needs be addressed. Assistant to the Town Manager Leah Hubbard-Rhineheimer explained there would be an opportunity to address veterans' needs. Addressing services would need to be worked out with Operation Welcome Home. Councilmember Jenn Daniels stated programming would address veteran's needs. She said events like veterans' recognition could be hosted on site during phase one of the build.

Manager Patrick Banger stated until the facility takes its final shape and it is understood which agencies will be working out of there it would be impossible to create a list of services. Councilmember Victor Petersen asked about Capital Improvement Project funding. Manager Patrick Banger said bonds were authorized in 2007. Vice Mayor Jordan Ray clarified that the money to be spent on this project is less than five percent of the Capital Improvement Project budget.

Council and Town staff discussed the Operation Welcome Home Park, the Parks Master Plan, funding, debt, veteran's needs and tourism.

Councilmember Eddie Cook, Vice Mayor Jordan Ray Councilmember Jared Taylor, Councilmember Jenn Daniels voiced their support of the project and they believe the Operation Welcome Home Park will be good for the community.

A MOTION was made by Vice Mayor Jordan Ray, seconded by Councilmember Jenn Daniels, to approve and authorize the Mayor to execute the required documents:

a) Agreement and Lease No. 2016-1002-0075 between the Town of Gilbert ("Gilbert") and Operation Welcome Home AZ, Inc. an Arizona Non-Profit Corporation ("OWH") in an amount not to exceed \$879,000 for the Welcome Home Veterans Park including amendments listed by Special Counsel Susan Goodwin; and

b) authorize a General Fund Contingency Transfer in the amount \$1,200,000 for Gilbert Off-site improvements. *Motion carried 5-1 with Councilmember Victor Petersen casting the dissenting vote.*

14. AGREEMENT – consider approval of Agreement No. 2015-5002-0777 with Gilbert Quiet Flyers for the purposes of flying electric powered, radio controlled model aircraft and providing

educational and recreational programming, and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar vote.

15. AGREEMENTS – consider approval and authorize the Mayor to execute the required documents for:

- a) pay for performance distribution for Town Manager Patrick Banger, Presiding Judge John Hudson and Town Attorney Michael Hamblin;
- b) amended Employment Agreement No. 2012-1002-0084 with Town Manager Patrick Banger with an effective date of August 31, 2015;
- c) amended Employment Agreement No. 2012-1501-0245 with Presiding Judge John Hudson with an effective date of August 31, 2015;
- d) amended Employment Agreement No. 2013-1004-0302 with Town Attorney Michael Hamblin with an effective date of August 31, 2015; and
- e) approve a General Fund Contingency Transfer in the amount of \$23,400.

This item was approved with the Consent Calendar vote.

16. GRANT – consider application and acceptance of a grant from the Governor's Office of Highway Safety for traffic enforcement, underage alcohol enforcement and education, overtime expenditures, DUI enforcement overtime expenditures and equipment in an amount not to exceed \$360,000.

This item was approved with the Consent Calendar vote.

17. GRANT – consider application and acceptance of a Grant No. 2016-7012-0058 from Maricopa Association of Governments (MAG) Congestion Mitigation Air Quality (CMAQ) and Transportation Alternatives (TA) programs for an above grade crossing at the Union Pacific Railroad at the intersection with the Western Canal Powerline trail at Neely Road.

This item was removed from the agenda.

18. GRANT – consider application and acceptance of a Grant No. 2016-2106-0071 from the Salt River Project Aesthetics Program Funding for the Western Canal that are included with the Town's Ash Street project, Project No. RD116, and authorize the Mayor to authorize the Mayor to sign the associated Aesthetic Program Funding Agreement.

This item was approved with the Consent Calendar vote.

19. CONTRACT – consider approval of Construction Services Contract No. 2016-7102-0024 with Markham Contracting in an amount not to exceed \$1,107,238.45 for the Ash Street Extension Project, Project No. RD116, and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar vote.

20. CONTRACT – consider approval of renewal of Contract No. 2014-1105-0133 with SilkRoad in an amount not to exceed \$135,000 for Talent Management software and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar vote.

21. CONTRACT – consider approval of Professional Services Contract No. 2016-7003-0047 with NFra in an amount not to exceed \$137,903 for the Arterial Streets Reconstruction Project, Project No. ST163, and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar vote.

22. CONTRACT – consider approval of Cooperative Purchase Contract No. 2016-4106-0041 with Crafc, Inc. in an amount not to exceed \$140,000 for Asphalt Crack Sealing Material and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar vote.

23. CONTRACT – consider approval of Job Order Contracting Contract No. 2016-4107-0019 with B & F Contracting, Inc. for Utility Projects effective upon award and terminating May 31, 2016 with option to renew, and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar vote.

24. CONTRACT – consider approval of Cooperative Purchase Contract No. 2016-1302-0052 with Waxie, Inc. in an amount not to exceed \$130,000 for janitorial and sanitation supplies, equipment and related services and authorize the Mayor to execute the required documents.

This item was approved with the Consent Calendar vote.

25. CONTRACT – consider approval and authorize the Mayor to execute the required documents for:

a) Cooperative Purchase Contract No. 2014-1103-0274 with Go AZ Motorcycles in an amount not to exceed \$139,259 including taxes for five motorcycles;

b) Cooperative Purchase Contract No. 2012-1103-0222 with San Tan Ford in an amount not to exceed \$611,645 including taxes for nineteen vehicles;

c) Cooperative Purchase Contract No. 2014-1103-0157 with LSH Lights not to exceed \$183,588 for emergency equipment and installation up-fitting; and

d) authorize a General Replacement Fund Contingency Transfer in the amount of \$18,735.

This item was approved with the Consent Calendar vote.

26. CHANGE ORDER – consider approval of Change Order No. 1 to Architectural/Engineering Services Contract No. 2015-7010-0635 with Wilson Engineers increasing the contract amount by \$69,567 for the Reclaimed Water Reservoir Rehabilitation Project, Project No. WW083.

This item was approved with the Consent Calendar vote.

27. STREETS - consider adoption of a Resolution to approve a street name change from South Werner Road to South Entwistle Street and East Cynthia Street in the Cooley Station Parcels 10 and 17 - Phase 2 subdivision and authorize the Town Engineer to execute a Certificate of Correction.

This item was approved with the Consent Calendar vote. Resolution No. 3818 was adopted

28. PROPERTY ACQUISITION – conduct hearing and consider adoption of a Resolution approving the acquisition of 331 South Cooper Road Parcel Nos. 302-32-982, 302-32-983 and 302-32-623A for the Candlewood Lift Station Project, Project No. WW070.

This item was approved with the Public Hearing vote. Resolution No. 3819 was adopted

29. FINAL PLAT RD-116 - consider approval of the final plat for Ash Street South of Juniper, located south and west of the southwest corner of Gilbert Road and Juniper Avenue.

This item was approved with the Consent Calendar vote.

30. TEMPORARY EXTENSION OF PREMISES – consider approval of a temporary extension of premises for Triple 2's Tavern located at 1686 North Higley Road #101 for an event to be held on September 5, 6, 12, 13, 19, 20, 26, and 27, 2015.

This item was approved with the Consent Calendar vote.

31. SPECIAL EVENT LIQUOR LICENSE – consider approval of a Special Event Liquor License for Save the Family for October 9, 2015 from 5:00 pm to 11:00 pm located at 2218 East Williams Field Road #235.

This item was approved with the Consent Calendar vote.

32. MINUTES – consider approval of the minutes of Special Meeting of July 27, 2015, Regular Meeting of July 30, 2015, and Council Retreat of August 6, 7 and 8, 2015.

This item was approved with the Consent Calendar vote.

PUBLIC HEARING

Mayor John Lewis opened the public hearing for items 28, 33, 34, 35, 38, 39, and 40. No one wished to speak and Mayor John Lewis closed the public hearing.

A MOTION was made by Vice Mayor Jordan Ray, seconded by Councilmember Eddie Cook, to approve public hearing items 28, 33, 34, 35, 38, 39, and 40. *Motion carried 6-0.*

33. LIQUOR LICENSE – conduct hearing and consider approval of a Series 6 Bar Liquor License for Skip & Jan's Sports located at 1520 West Warner Road.

This item was approved with the Public Hearing vote.

34. LIQUOR LICENSE – conduct hearing and consider approval of a Series 10 Beer and Wine Store Liquor License for Gilbert Valero 1608 located at 784 North McQueen Road.

This item was approved with the Public Hearing vote.

35. LIQUOR LICENSE – conduct hearing and consider approval of a Series 7 Beer and Wine Bar Liquor License for Seven 50ml Wine Bar & Bistro located at 1090 South Gilbert Road, Suite 105 and 107.

This item was approved with the Public Hearing vote.

36. GENERAL PLAN GP15-01/ ZONING Z15-02 – conduct hearing and consider:

a) adoption of a Resolution approving a Minor General Plan amendment for Cooper Landing to change the land use classification of approximately 1090 South Gilbert Road, Suite 105 and 107.

b) approval of the findings and adoption of an Ordinance for Cooper Landing rezoning approximately 14.3 acres, located at the southeast corner of Guadalupe and McQueen Roads, in zoning case z15-02 from Town of Gilbert Community Commercial (CC) zoning district to Town of Gilbert Single Family - Detached (SF-D zoning district with a planned area development overlay zoning district; providing for repeal of conflicting ordinances; providing for non-severability; and providing for penalties.

Planner II Nichole McCarty discussed the request to change Cooper Landing from Community Commercial to Residential and rezoning Community Commercial to Single Family Detached with a Planned Area Development overlay. The site has 14.3 acres with a plan for 90 single family detached homes.

Kathy Tilque, Gilbert resident, asked Council to vote to oppose changing the zoning on this item from commercial to residential. The area is in need of redevelopment and new office models. The property is strategically located and she asked Council to vote to oppose changing the zoning on the property at this time.

Developer's Counsel David Cisiewski stated the property is not commercially viable and by bringing a vibrant residential community, new people, and more energy there will be support for the struggling commercial properties in the area. The proposal makes good land use planning sense.

Councilmember Eddie Cook discussed changing zoning on properties from commercial to residential. He discussed previous zoning cases and in some cases he said he was hesitant to change the zoning. He stated in this case he was in support of the change.

Councilmember Victor Petersen stated he respects the thought of not turning commercial into residential but there are many "what-ifs". He commented that he believes that the market knows how to balance itself. He explained he is supporting the change but respects the concerns of those who did not support the changes.

Vice Mayor Jordan Ray commented that he thought Councilmembers Eddie Cook and Victor Petersen had valid points. He also explained he was hesitant to convert sites from commercial to residential and he is in agreement with rezoning the property from commercial to residential.

Councilmember Jared Taylor stated there is a high bar that has to be cleared before telling someone what they can do with their property and property rights are sacred. He discussed vacancy rates and the commercial properties in the area of this site. He added he is supportive of the project.

Councilmember Jenn Daniels voiced concerns over zoning changes. She explained they are also trying to balance property rights and voter concerns. There is concern due to the density of housing projects in the area and prematurely moving forward on the zoning change without marketing the property and she is not supportive of the change.

Mayor John Lewis closed the public hearing.

A MOTION was made by Vice Mayor Jordan Ray, seconded by Councilmember Victor Petersen, to:

- 1) adopt Resolution No. 3820 for GP15-01 amending the General Plan by changing the designation of approximately 14.3 acres, located at the southeast corner of Guadalupe and McQueen Roads, in zoning case z15-02 from Town of Gilbert Community Commercial (CC) zoning district to Town of Gilbert Single Family - Detached (SF-D zoning district with a planned area development overlay zoning district; providing for repeal of conflicting ordinances; providing for non-severability; and providing for penalties.

2) adopt Ordinance No. 2550 for Z15-02 to rezone approximately 14.3 acres, located at the southeast corner of Guadalupe and McQueen Roads, in zoning case z15-02 from Town of Gilbert Community Commercial (CC) zoning district to Town of Gilbert Single Family - Detached (SF-D zoning district with a planned area development overlay zoning district; providing for repeal of conflicting ordinances; providing for non-severability; and providing for penalties. *Motion carried 4-2 with Vice Mayor Jordan Ray and Councilmember Jenn Daniels casting the dissenting votes.*

37. CODE OF GILBERT - conduct hearing and consider adoption of an Ordinance amending the Code of Gilbert, Arizona, by amending Chapter 10 Buildings and Construction Regulations, Article VI Public Works, by amending Sections 10-201 Adoption of Uniform Standard Specifications and Details for Public Works Construction and 10-202 Adoption of 1984 Supplement to Standard Specifications for Public Works Construction related to standards of Public Works construction.

A MOTION was made by Vice Mayor Jordan Ray, seconded by Councilmember Victor Petersen, to continue item 37 to the meeting on October 1, 2015. *Motion carried 6-0.*

38. CODE OF GILBERT - conduct hearing and consider adoption of an Ordinance amending the Code of Gilbert, Arizona, by amending Chapter 1, General Provisions, Article IV Boards, Commissions, and Committees, Division 1 Generally, Section 1-205 Vacancies, Removal from Office.

This item was approved with the Public Hearing vote.

39. CODE OF GILBERT - conduct hearing and consider adoption of an Ordinance amending the Code of Gilbert, Arizona, by amending Chapter 2, Administration, Article V, Disposal of Lost, Unclaimed, or Contested Property, Section 2-392 General, and Section 2-398 Disposal and Destruction of Firearms, Liquor, Perishables.

This item was approved with the Public Hearing vote.

40. CODE OF GILBERT - conduct hearing and consider adoption of an Ordinance amending the Code of Gilbert, Arizona, by amending Chapter 10 Buildings and Construction, Article I In General, Section 10-5 Construction Within Public Rights-of-Way or Utility Easements; Location and Relocation of Facilities in Public Rights-of-Way and Utility Easements related to procedures and requirements for the temporary closure of public roads.

This item was approved with the Public Hearing vote.

ADMINISTRATIVE ITEMS

41. BUDGET – consider approval of a Contingency Transfer in the amount of \$94,325 for the claims settlements incurred for the period April 1, 2015 to June 30, 2015.

A MOTION was made by Vice Mayor Jordan Ray, seconded by Councilmember Victor Petersen, to approve a Contingency Transfer in the amount of \$94,325 for the claims settlements incurred for the period April 1, 2015 to June 30, 2015. *Motion carried 6-0.*

42. BOARDS AND COMMISSIONS – consider appointment to the Parks, Recreation and Library Services Advisory Board of:

- a) one regular member with term beginning August 28, 2015 and ending May 12, 2017; and
- b) one regular member with a term beginning August 28, 2015 and ending May 12, 2016 plus an additional term beginning May 15, 2016 and ending May 12, 2019.

This item was approved with the Consent Calendar. Lan Shafer was appointed to the Parks, Recreation and Library Services Advisory Board as a regular member with term ending May 12, 2017; and Matthew Roberts was appointed to the Parks, Recreation and Library Services Advisory Board as a regular member with term ending May 12, 2019.

43. BOARDS, COMMISSIONS, AND COMMITTEES - reports from Council Liaisons for the:

- a) Subcommittee on Board and Commission Application Screening, Interview, and Selection
- b) Other Council Subcommittees
- c) Regional Meetings
- d) Arts and Culture Board
- e) Design Review Board
- f) Environmental and Energy Conservation Advisory Board
- g) Gilbert Educational Cable Access Governing Board
- h) Human Relations Commission
- i) Industrial Development Authority
- j) Mayor's Youth Advisory Committee
- k) Parks, Recreation and Library Services Advisory Board
- l) Planning Commission
- m) Redevelopment Commission
- n) Town of Gilbert, AZ Public Facilities MPC
- o) Town of Gilbert, AZ Water Resources MPC
- p) Town of Gilbert, AZ Self-Insured Trust Fund for Health Benefits
- q) Utility Board

POLICY ITEMS

None.

FUTURE MEETINGS

No discussion.

COMMUNICATIONS

Report from the TOWN MANAGER on current events.

Manager Patrick Banger recognized Management Support Analyst Justine Bruno, former Assistants to the Manager Andi Welsh and Gabe Engeland, Special Counsel Susan Goodwin and Hakon Johanson for their assistance on the Operation Welcome Home Wall Park. He also thanked former Intergovernmental Relations Director Leah Hubbard-Rhineheimer, Assistant to the Town Manager Nicole Lance, Management Support Analyst Justine Bruno, Human Resource Director Carrie Bosley and the Gilbert Digital Team for assistance in bringing the census to the community

Report from the COUNCIL on current events.

Councilmember Victor Petersen encouraged everyone to attend the “One Nation Under God” program on September 17th at 7:00 p.m. and he gave the lineup of event speakers.

Councilmember Jared Taylor reported on Scouts Night on September 16th and 23rd. He advised they were still looking for teachers. He also stated the event is one of the biggest Scouting events in Arizona.

Report from the MAYOR on current events.

Mayor John Lewis also reminded everyone about the “One Nation Under God” program in partnership with Mission Community Church during Constitution Week on September 17, 2015.

Mayor John Lewis stated the Arizona Nursing Education Committee approved the opening of the Saint Xavier University School of Nursing. He also reported on the unexpected death of Saint Xavier University Provost, Paul DeVito and gave his condolences on behalf of the Town of Gilbert. He visited the Salt River Project data center located in Gilbert.

ADJOURN

Mayor John Lewis adjourned meeting at 9:41 p.m.

ATTEST:

John W. Lewis, Mayor

Lisa Maxwell, CMC, Deputy Clerk

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the regular meeting of the Town Council of the Town of Gilbert held on the 27th day of August, 2015. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this ____ day of _____.

Lisa Maxwell, CMC, Deputy Clerk